

**Juvenile Justice Improvement Committee**  
Judicial Conference of Indiana

**Minutes**  
February 7, 2003

The Juvenile Justice Improvement Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, February 7, 2003 from 12:00 noon until 3:00 p.m.

1. Members present. Robert R. Aylsworth; Christopher L. Burnham; W. Timothy Crowley, Mary R. Harper, Daniel L. Pflum, and James W. Payne, Acting Chair.
2. Minutes approved. The minutes for the meeting on November 1, 2002 were approved.
3. Staff present. Jeffrey Bercovitz, Anne Jordan and Jane Seigel provided the committee with staff assistance.
4. Governor's Commission on Juvenile Law.
  - a. Mr. Bercovitz reported appointments had been made to the commission and its first meeting is scheduled for Thursday, February 27.
  - b. Mr. Bercovitz distributed responses to a survey of problem areas to be addressed by the Commission from the Juvenile Court Judges Conference in Brown County. The committee discussed the following for consideration by the commission:
    - (1) Mental health of juveniles, including competency of juveniles to stand trial and children who need mental health services and/or commitment;
    - (2) Direct file, including the limited number of crimes included, whether misdemeanor handgun violations should be included, and whether reverse waiver should be available in Indiana;
    - (3) Blurred line between CHINS and Delinquents, including whether OFC can conduct services for children better over the long term;
    - (4) Restitution to victims and payment for services to children, including better enforcement mechanisms against parents to pay for services ordered for their children, use of support when a child is in custody, reducing restitution and costs to judgment, clarifying who is responsible for costs, a guideline for consistent orders to have parents repay the costs of children in care;
    - (5) State vs. local funding of services to children;
    - (6) Schools, including information about progress of juveniles in the school and their removal.
5. Presentation by Anita Morse. Ms. Anita Morse, Chief Legal Counsel, Bureau of Motor Vehicles distributed a draft memorandum concerning the confidentiality of driving records of juveniles. The members of the committee discussed revisions to this memorandum. She agreed to resubmit the memorandum when revised to the committee.
6. Attorney General Opinion on juvenile placement costs. Committee members discussed Opinion No. 1, 2003 of the Indiana Attorney General that decided the state did not have the authority to withhold monies owed to a county if the county had not paid the costs of placement of a juvenile in DOC. Mr. Bercovitz reported on a meeting at the Attorney General's Office in

which the Judicial Center was asked to apply for a grant to study juvenile programs and their effectiveness on recidivism rates and cost reductions. Judge Payne agreed to send to the Center a spreadsheet showing the increase of juvenile commitment costs to DOC over the past ten years. The members of the committee discussed the potential cost of this study may be one to two million dollars and cover many years to get recidivism rates. They agreed a study of this nature should not be conducted by the Judicial Center and possibly be conducted by the newly formed Governor's Commission.

7. Juvenile Law Services Report. Mr. Bercovitz distributed selected portions of the Juvenile Law Services Report from 2001 and a spreadsheet from John Boyce, DFC indicating each county's OFC budget in 2001. In light of this information, they revised a memorandum and agreed it should be sent to all judges with juvenile jurisdiction and chief probation officers asking for accurate dollar figures on the costs of services to children.

8. Recent legislation. Committee members discussed the following bills: Senate Bills 28, 36, 62, 199, 227, 229 and House Bills 1253, 1561, 1761, 1957 and 1850.

9. Probation User's Fees. Jane Seigel gave a report on probation user fee and probation officer salary legislation.

10. Next meeting dates. The committee members agreed to meet on March 7, 2003, May 2, 2003 and June 6, 2003 all on Friday from 12:00 noon - 3:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law